

4598. Adulteration of frozen mixed eggs. U. S. v. Mrs. Yetta Weiner (Iowa Egg Co.). Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 7297. Sample No. 84201-E.)

On November 18, 1942, the United States attorney for the Southern District of Iowa filed an information against Mrs. Yetta Weiner, trading as Iowa Egg Co., at Des Moines, Iowa, alleging shipment on or about October 6, 1941, from the State of Iowa into the State of New Jersey of a quantity of frozen mixed eggs that were adulterated in that they consisted in whole or in part of putrid and decomposed substances.

On May 21, 1943, the defendant having entered a plea of guilty, the court imposed a fine of \$25 and costs.

4599. Adulteration of frozen eggs. U. S. v. 65 Cans of Frozen Eggs. Decree of condemnation. Product ordered destroyed. (F. D. C. No. 2453. Sample No. 13699-E.)

On July 25, 1940, the United States attorney for the Territory of Hawaii filed a libel against 65 cans, each containing 30 pounds, of frozen eggs at Honolulu, T. H., which had been shipped by the Puget Sound Egg Packers, alleging that the article had been shipped on or about July 19, 1940, from Tacoma, Wash.; and charging that it was adulterated in that it was in whole or in part filthy, putrid, decomposed, and otherwise unfit for food.

On March 15, 1941, Nye & Nissen, Inc., claimant, filed an answer denying that the product was adulterated as alleged but admitting that there were 9 cans of egg that were subject to forfeiture and destruction.

On February 8, 1943, the case came on for hearing and the court found the product adulterated, and on February 9, 1943, judgment of condemnation was entered and it was ordered that the product be destroyed and that costs be assessed against the claimant.

4600. Adulteration of frozen whole eggs. U. S. v. 172 Cartons of Frozen Whole Eggs. Default decree of condemnation. Product ordered sold to highest bidder. (F. D. C. No. 9166. Sample No. 6218-F.)

On January 9, 1943, the United States attorney for the Eastern District of Missouri filed a libel against 172 cartons, each containing 32 pounds, of frozen whole eggs at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about December 19, 1942, by the Cudahy Packing Co. from Cuero, Tex.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On May 20, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed. Subsequently the decree was amended, the order of destruction was vacated and the product ordered sold after safeguards had been adopted, as directed by the Federal Security Agency, to prevent the disposition in violation of the law.

4601. Adulteration of frozen whole eggs. U. S. v. 1,000 Cans of Frozen Whole Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and denaturing or destruction of the unfit portion. (F. D. C. No. 9219. Sample Nos. 2276-F, 2283-F.)

On January 22, 1943, the United States attorney for the Northern District of Illinois filed a libel against 1,000 30-pound cans of frozen whole eggs at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about December 7, 1942, by L. D. Schreiber & Co. from Jersey City, N. J.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Whole Eggs * * * Packed by Manhattan Egg Co. Inc"

On January 28, 1943, L. D. Schreiber & Co., Inc., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for segregation of the fit portion and denaturing or destruction of the unfit portion, under the supervision of the Food and Drug Administration.

4602. Adulteration of frozen eggs. U. S. v. 45 Cans of Frozen Eggs. Default decree of condemnation and destruction. (F. D. C. No. 8948. Sample No. 29046-F.)

On December 3, 1942, the United States attorney for the Northern District of Georgia, filed a libel against 45 30-pound cans of frozen eggs at Atlanta, Ga., alleging that the article had been shipped in interstate commerce on or about November 10, 1942, by the Tennessee Egg Co., from Chattanooga, Tenn.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On January 25, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4603. Adulteration of frozen eggs. U. S. v. 269 Cans of Frozen Eggs. Consent decree of condemnation. Product ordered released under bond for segregation and destruction or denaturing of the unfit portion. (F. D. C. No. 8636. Sample Nos. 18123-F, 18124-F.)

On October 23, 1942, The United States attorney for the District of New Jersey filed a libel against a total of 269 cans of frozen eggs at Jersey City, N. J., alleging that the article had been shipped in interstate commerce on or about October 5 and 13, 1942, by Marshall Kirby & Co., of New York, N. Y., from Brooklyn, N. Y.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: "Whole Eggs."

On January 23, 1943, Marshall Kirby & Co., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for separation of the fit portion from the unfit portion and destruction or denaturing of the unfit portion, under the supervision of the Food and Drug Administration.

4604. Adulteration of spray-dried whole eggs. U. S. v. 46 Barrels of Spray Dried Whole Eggs. Consent decree of condemnation. Product ordered released under bond for sale as animal feed. (F. D. C. No. 8921. Sample No. 20818-F.)

On December 15, 1942, the United States attorney for the Western District of New York filed a libel against 46 160-pound barrels of spray-dried whole eggs at Arcade, N. Y., alleging that the article had been shipped and delivered for shipment in interstate commerce on or about the latter part of October, 1942, by the Borden Co.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance.

On February 9, 1943, the Borden Co., claimant, having admitted that the article was adulterated, judgment of condemnation was entered and the product was ordered released under bond for sale to a manufacturer of animal feed.

FISH AND SHELLFISH

4605. Adulteration of frozen fish fillets. U. S. v. T. & J. Busalacchi, Inc. Plea of guilty. Fine, \$75. (F. D. C. No. 7717. Sample Nos. 62466-E, 64887-E, 80801-E, 86548-E.)

This product contained parasites, i. e., Copepods.

On November 10, 1942, the United States attorney for the District of Massachusetts filed an information against T. & J. Busalacchi, Inc., a corporation, at Boston, Mass., alleging shipment on or about April 2 and May 18, 1942, from the State of Massachusetts into the States of Pennsylvania and Illinois of a quantity of frozen fish that was adulterated in that it consisted in whole or in part of a filthy substance. The information alleged further that on or about March 12, 1941, the defendant gave to the Slade Gorton Co. a guaranty that all food products delivered by the defendant to said company would be neither adulterated nor misbranded within the meaning of the Federal Food, Drug, and Cosmetic Act; that on or about April 2, 1942, the defendant sold and delivered quantities of fish fillets to Slade Gorton Co. which were, on or about April 7, 1942, shipped by the purchaser in interstate commerce from the State of Illinois into the State of Michigan. The information charged further that the defendant, in violation of said act, gave a guaranty which was false since the fish so sold and delivered was adulterated in that it consisted in whole or in part of a filthy substance. The article was labeled in part: "Fish Fillets Deep Sea Brand."

On December 22, 1942, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$75.

4606. Adulteration of frozen pollack fillets. U. S. v. 213 Boxes of Frozen Pollack Fillets. (F. D. C. No. 8992. Sample No. 1879-F.)

On December 11, 1942, the United States attorney for the Northern District of Illinois filed a libel against 213 15-pound boxes of pollack fillets at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about November 19, 1942, by the Slade Gorton Co., Gloucester, Mass.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Box) "Pollack Fillets. Packed by Empire Fish Co., Gloucester, Mass."